

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION**

GERALDINE MARSH,	)	CASE NO. 4:21-cv-69
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
WAL-MART STORES EAST, L.P.,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

Robert B. Thornburg, counsel for Defendant Wal-Mart Stores East, L.P., states:

1. On March 25, 2021, Plaintiff filed her Complaint for Damages against Defendant Wal-Mart Stores East, L.P. in the Jennings County Superior Court of Indiana, under Cause No. 40D01-2103-CT-000006.
2. Wal-Mart Stores East, L.P., **an Arkansas corporation with its principal place of business in Arkansas** is a wholly-owned subsidiary of Walmart, Inc. Walmart, Inc. is a publicly traded company on the New York Stock Exchange and traded under the symbol WMT, a Delaware corporation with its principal of business in Arkansas. No publicly traded entity owns more than 10% of the company.
3. Plaintiff is a citizen of the state of Indiana.
4. The matter in controversy exceeds \$75,000.00, exclusive of interests and costs; this action does not arise under the Workmen's Compensation laws of any state; is not brought against a common carrier or its receivers or trustees; does not arise under 45 U.S.C. §§ 51-60; and, therefore, this cause is removable to this Court under 28 U.S.C. § 1441(b).

5. This Notice of Removal is being filed with this Court within 30 days after the receipt of the Complaint and Summons by the defendant and receipt of information from Plaintiff's counsel that the amount in controversy exceeds \$75,000 in that counsel is unwilling to stipulate that the amount in controversy does not exceed \$75,000 due the nature and extent of the Plaintiff's injuries. As a result, this case is removal to this Court under 28 U.S.C. § 1446(b)(3).

6. Copies of all process, pleadings, and orders served upon petitioner in the state court action are attached hereto. Promptly hereafter, written notice will be given to all adverse parties and to the Clerk of the Jennings County Superior Court of Indiana, that this Petition for Removal is being filed with this Court.

WHEREFORE, Defendant prays that the entire state court action, under Cause No. 40D01-2103-CT-000006, now pending in the Jennings Superior Court of Indiana, be removed to this Court for all further proceedings.

Respectfully submitted,

FROST BROWN TODD LLC

By: /s/ Robert B. Thornburg

Robert B. Thornburg, #19594-02

*Attorneys for Defendant Wal-Mart Stores  
East, L.P.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 30<sup>th</sup> day of April, 2021, the foregoing was filed electronically.

Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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